

Minutes Tempe Police Public Safety Personnel Retirement System Board October 6, 2016

Minutes of the Tempe Police Public Safety Personnel Retirement System Board meeting, held on Thursday, October 6, 2016, 2:00 p.m., in Tempe City Hall, Third Floor Conference Room, 31 E. 5th Street, Tempe, Arizona.

Board Members Present:

Bill Goodman
Kelly McMenemy
Jeff Millen
Bill Munch

Board Members Absent:

Mark Mitchell, Mayor

City Staff Present:

Renie Broderick, Internal Services Director
Chris Hansen, Risk Manager
Wendy Messina, HR Program Coordinator
Susan Buck, Executive Assistant

Legal Counsel Present:

Cynthia Kelley

Jeff Millen called the meeting to order at 2:10 p.m.

ITEM I – Consideration of Meeting Minutes:

Motion by Kelly McMenemy to approve the August 4, 2016 Board Meeting Minutes; second by Bill Munch. Motion passed on a voice vote 4-0.

ITEM II - Public Appearances:

There were no public appearances.

ITEM III - Motion to Adjourn to Executive Session, if necessary:

Motion by Kelly McMenemy to adjourn to Executive Session; second by Bill Munch. Motion passed on a voice vote 4-0. The Board convened Executive Session at 2:12 p.m.; the Board meeting was called back to order at 2:32 p.m.

ITEM IV – New Members:

Motion by Kelly McMenemy to accept the new member application of **James E. Blair, III**; and the new member applications of **Joe A. Guajardo**, **Cyreen Haddad** and **Allyson J. (Roy) Riding** with pre-existing conditions as noted in file; second by Bill Munch. Motion passed on a voice vote 4-0.

ITEM V – Prior Service / Transfer of Service (Acknowledgement only; no action taken)

The Board acknowledged the following prior service / transfer of service:

- **Matthew DeCourval** – 0.060 years from Arizona State Retirement System
- **Thomas Haubold** – 1.877 years of Military Service
- **Elizabeth Lenzen** – 0.211 years of recalculated Pre-Joinder Service

ITEM VI - Application to Enter Into Deferred Retirement Option Plan (DROP) Program:

Motion by Bill Munch to approve the applications of **Charles J. Corning**, **Thomas K. Haubold**, **Elizabeth A. Lenzen** and **Michael J. Pierce** to enter into the DROP Program; second by Kelly McMenemy. Motion passed on a voice vote, 4-0.

Motion by Bill Munch to approve the application of **Kelly J. McMenemy** to enter into the DROP Program; second by Bill Goodman. Boardmember Kelly McMenemy abstained from voting on her own application. Motion passed on a voice vote 3-0-1.

ITEM VII – Application for Normal Retirement

Motion by Kelly McMenemy to approve the application of **Frances Santos** for Normal Retirement; second by Bill Munch. Motion passed on a voice vote 4-0.

ITEM VIII – Initial Hearing on Application for Accidental Disability Benefits

Boardmember McMenemy addressed John O. Rall and asked if he had anything to add to the information submitted to the Board; Mr. Rall stated that he did not. Boardmember McMenemy noted that Mr. Rall filed his application within 12 months of leaving employment; however, there is no evidence to indicate that Mr. Rall terminated employment by reason of a disability – in fact, Mr. Rall terminated employment via regular retirement. Motion by Kelly McMenemy to deny the application by **John O. Rall, Jr.**, for Accidental Disability Benefits.

Boardmember Millen asked if there was any discussion; there was none. Boardmember Millen asked Mr. Rall if he had anything to add. Mr. Rall stated that the injury happened years ago and the pain in his back and arm has always been there and keeps getting worse. Mr. Rall stated that he sees his own private physicians because it takes too long to go through worker's compensation for treatment.

Boardmember Millen seconded the motion by Kelly McMenemy to deny the application by **John O. Rall, Jr.** for Accidental Disability Benefits. Boardmember McMenemy addressed Mr. Rall, stating that there is an appeal process and that he can submit additional evidence to the Board as part of that process. Mr. Rall stated that he understood and clarified that he did not pursue disability benefits while still employed because he was concerned about supporting his family on a disability pension. Motion passed on a voice vote 4-0.

Boardmember McMenemy read the following question from the Form P5-LB-A into the record:

1. Did the employee file the application after the disabling incident, or within one year of ceasing to be an employee? **YES**
2. Did (or will) the employee terminate by reason of a disability? **NO**
3. Did employment terminate based on a disciplinary issue? **NO**
4. If the member's period of DROP has ended, if applicable, did (or will) the employee terminate by a reason of disability? **NO**
5. Is the employee still working a position within their job classification that the Local Board considers a reasonable range of duties positions? **NO** (this is not applicable; the employee previously retired)
6. Has the employee refused a position within their job classification that the Local Board considered a reasonable range of duties? **NO** (this is not applicable; the member is retired)
7. Did the injury or condition occur prior to the current PSPRS membership date? **NO**
8. Was the injury or condition the result of an event incurred during the performance of the employee's duty? **YES**

ITEM IX – Board and Commission Annual Report to City Council

Local Board Secretary Renie Broderick stated this is a new procedure requested of all the boards and commissions. The report must be submitted to the City Clerk's Office in November for presentation to City Council. A draft of the report, along with the requirements, was provided in the Board meeting packet. Motion by Bill Munch to approve the Tempe Police Public Safety Personnel Retirement System Board 2016 Annual Report; Kelly McMenemy seconded the

motion, with the added condition that the report be updated with information about the November 2016 meeting previous to submitting it to the City Clerk; Boardmember Munch accepted the amendment to his motion. The motion passed on a voice vote 4-0.

ITEM X - Status Update Regarding Third Party Overtime & Pensionable Compensation:

Ms. Broderick provided an update, stating that this issue is being discussed and resolved between the City and the grievant.

ITEM XI - Future Meeting Date:

The next meeting is scheduled for November 3, 2016.

ITEM XII - Future Agenda Items:

Ms. Broderick stated that Mayor Mitchell is designating a delegate to his position as Chair to the Police PSPRS Board. He will be appointing Steven Methvin, Deputy City Manager-COO, to act as his delegate and the appointment will go before Tempe City Council for approval on October 27, 2016.

Adjournment

Motion to adjourn by Kelly McMenemy; second by Bill Goodman. Motion passed unanimously on a voice vote 4-0. The meeting adjourned at 2:45 p.m.

A handwritten signature in black ink, appearing to read "Rene Broderick", written over a horizontal line.

Rene Broderick
Local Board Secretary